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Attorney for Plaintiff

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

| | |
|-------------------------------|------------------------------------|
| ESTEBAN CAMPOS, |) Case No. 2:22-cv-01752-CKD (SS) |
| |) |
| Plaintiff, |) STIPULATION AND ORDER FOR |
| |) THE AWARD AND PAYMENT OF |
| v. |) ATTORNEY FEES AND EXPENSES |
| |) PURSUANT TO THE EQUAL |
| KILOLO KIJAKAZI, |) ACCESS TO JUSTICE ACT, 28 U.S.C. |
| Acting Commissioner of Social |) § 2412(d), AND COSTS PURSUANT |
| Security, |) TO 28 U.S.C. § 1920 |
| |) |
| Defendant. |) |
| |) |
| |) |

IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel, subject to the approval of the Court, that ESTEBAN CAMPOS be awarded attorney fees and expenses in the amount of EIGHT THOUSAND DOLLARS AND ZERO CENTS (\$8000.00) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and costs in the amount of ZERO dollars under 28 U.S.C. § 1920. This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

1 After the Court issues an order for EAJA fees to ESTEBAN CAMPOS, the
2 government will consider the matter of ESTEBAN CAMPOS assignment of
3 EAJA fees to Betty Herrera. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 598
4 (2010), the ability to honor the assignment will depend on whether the fees are
5 subject to any offset allowed under the United States Department of the
6 Treasury's Offset Program. After the order for EAJA fees is entered, the
7 government will determine whether they are subject to any offset.

8 Fees shall be made payable to ESTEBAN CAMPOS, but if the Department
9 of the Treasury determines that ESTEBAN CAMPOS does not owe a federal
10 debt, then the government shall cause the payment of fees, expenses and costs to
11 be made directly to Betty Herrera, United Disability Lawyers Group, pursuant to
12 the assignment executed by Plaintiff. Any payments made shall be delivered to
13 Betty Herrera.

14 This stipulation constitutes a compromise settlement of Plaintiff's request
15 for EAJA attorney fees, and does not constitute an admission of liability on the
16 part of Defendant under the EAJA or otherwise. Payment of the agreed amount
17 shall constitute a complete release from, and bar to, any and all claims that
18 ESTEBAN CAMPOS and/or Betty Herrera including United Disability Lawyers
19 Group may have relating to EAJA attorney fees in connection with this action.

20 This award is without prejudice to the rights of Betty Herrera and/or
21 United Disability Lawyers Group to seek Social Security Act attorney fees under
22 42 U.S.C. § 406(b), subject to the savings clause provisions of the EAJA.

23
24
25 Dated: July 3, 2023

UNITED DISABILITY

26 By: /s/ Betty Herrera
27 BETTY HERRERA
28 Attorneys for Plaintiff

Dated: July 3, 2023

E. MARTIN ESTRADA
United States Attorney

By: /s/ Sathya Oum *
Sathya Oum
** By email authorization on 07/03/2023*
Special Assistant United States Attorney
Attorneys for Defendant

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ESTEBAN CAMPOS,) Case No. 2:22-cv-01752-CKD (SS)
)
Plaintiff,) ORDER AWARDING EAJA FEES
)
v.)
)
KILOLO KIJAKAZI,)
)
Acting Commissioner of Social)
Security,)
)
Defendant.)
)
_____)

Based upon the parties' Stipulation for the Award and Payment of Equal
Access to Justice Act Fees, Costs, and Expenses:

IT IS ORDERED that:

1. The motion for attorney fees (ECF No. 18) is GRANTED; and
2. Fees and expenses in the amount of EIGHT THOUSAND HUNDRED
DOLLARS AND ZERO CENTS (\$8000.00) as authorized by 28 U.S.C.
§ 2412, and costs in the amount of \$0.00 as authorized by 28 U.S.C. §
1920, be awarded subject to the terms of the Stipulation.

Dated: July 10, 2023


CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE